REMARKS/ARGUMENTS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and the following remarks are submitted for the Examiner's consideration.

Claims 14-16 stand rejected under 35 U.S.C. 103(a) over U.S. Patent No. 6,434,718 to Kawahara et al. (hereinafter "Kawahara") in view of U.S. Patent No. 5,925,146 to Murata et al. (hereinafter "Murata"). For the following reasons, the rejection is again respectfully traversed, and reconsideration of the claims is requested.

Regarding claim 14, the Applicant has previously argued that neither Kawahara nor Murata teaches, suggests or otherwise renders obvious "in each of the plurality of compressed frame data that is compressed by way of a sub-band ADPCM mode, *halting* the process of the application of a scale factor *during* ADPCM decoding per sub-band in the presence of an unrecoverable transmission error in said audio compressed frame data," as required. The Examiner disagreed with this assertion, pointing out that Murata teachings halting the ADPCM decoding process when an error is detected. Applicant does not disagree. However, Applicant respectfully points out that this teaching does not satisfy the limitations of claim 14. Claim 14 requires that "application of a scale factor" is halted, not the halting of the entire ADPCM decoding process. The Examiner rightly points out that by halting the ADPCM decoding process, the application of scale factor will necessarily be halted as well. However, claim 14 requires that the application of scale factor be halted "*during* ADPCM decoding," which means that the ADPCM is performed without application of a scale factor. There is no disclosure in Murata which teaches or suggests the performance of ADPCM decoding *without application of a scale factor* as required by claim 14.

As set forth above, Murata does teach halting the entire ADPCM decoding process when an error is detected. Murata also teaches substituting a different scale factor after the ADPCM decoding resumes. But, Murata does not teach halting the application of a scale factor *during* the ADPCM decoding. Instead, Murata continues to apply a scale factor, but with a different value. Therefore, the process taught by Murata is different from the presently claimed method.

Further, there is nothing in the teachings of Murata that would suggest halting the application of scale factor instead of substituting a different scale factor as taught by Murata. Therefore, even if the teachings of Kawahara and Murata were combined, claim 14 is not rendered obvious by the resulting combination since every limitation would not be taught, suggested or otherwise rendered obvious. Further, since claims 15 and 16 depend from claim 14, they are nonobvious over the cited references for the same reasons.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. NGB-35848.

Respectfully submitted,

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